

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs

Case No: 04-80807
Honorable Victoria A. Roberts

GREGORY IVORY,

Defendant(s).

**ORDER REJECTING PRO SE FILINGS BY
A REPRESENTED PARTY**

Defendant Gregory Ivory has submitted documents entitled Motion for Judgment of Acquittal With Corresponding Argument in Support, [Doc 41] all in Pro Se.

Federal law permits a criminal defendant to appear “personally or by counsel.” 28 U.S.C. §1654. This right is “disjunctive; a party may either represent himself or appear through an attorney.” Hall v Dorsey, 534 F. Supp. 507, 508 (E.D. Pa 1982).

There is no right, constitutional or otherwise, to “hybrid representation - the representation at the same time by counsel and *pro se*.” United States v Trapnell, 638 F. 2d 1016, 1027 (7th Cir. 1980). Therefore, as part of the latitude accorded district courts in managing their dockets, courts may bar *pro se* filings by represented parties. United States v Agofsky, 20 F. 3d 866, 872 (8th Cir. 1994) (finding no error in the court's refusal to consider *pro se* motion where defendant was represented by counsel); United States v Tracy, 989 F. 2d 1279, 1285 (1st Cir. 1993) (“A district court enjoys wide

latitude in managing its docket and can require represented parties to present motions through counsel.”)

Accordingly, Defendant’s above named motion is **REJECTED AND STRICKEN FROM THE RECORD**. It will be forwarded to defendant’s counsel without further consideration. Future filings are similarly barred so long as defendant continues to be represented by counsel.

IT IS SO ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: August 18, 2005

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on August 18, 2005.

s/Carol A. Pinegar
Deputy Clerk